

## Department of Homeland Security

## § 100.7

is required to be published and is subdivided into subchapter A (General Provisions, parts 1 through 3, inclusive), subchapter B (Immigration Regulations, parts 100 through 299, inclusive), and subchapter C (Nationality Regulations, parts 306 through 499, inclusive). Any person desiring information with respect to a particular procedure (other than rule making) under the Immigration and Nationality Act should examine the part or section in chapter I of title 8 of the Code of Federal Regulations dealing with such procedures as well as the section of the Act implemented by such part or section.

[32 FR 9616, July 4, 1967, as amended at 74 FR 26936, June 5, 2009]

### § 100.6 [Reserved]

### § 100.7 OMB control numbers assigned to information collections.

This section collects and displays the control numbers assigned to information collection requirements of the Department of Homeland Security by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, Public Law 96-511. The Service intends that this section comply with the requirements of section 3507(f) of the Paperwork Reduction Act, which requires that agencies display a current control number assigned by the Director of the Office of Management and Budget for each agency information collection requirement.

8 CFR part or section where identified and described	Current OMB control No.
103.2(b)(1) .....	1115-0062
103.6 .....	1115-0085
103.6(c) .....	1115-0046
103.10(a)(2) .....	1115-0087
103.10(f) .....	1115-0088
204.1(a) .....	1115-0054
204.1(b) .....	1115-0049
204.1(c) .....	1115-0061
Part 207 .....	1115-0057
207.2 .....	1115-0066
207.2(d) .....	1115-0056
207.3(b) .....	1115-0098
Part 208 .....	1115-0086
211.1(b)(3) .....	1115-0042
211.2 .....	1115-0042
212.1(f) .....	1115-0042
212.2 .....	1115-0106
212.3 .....	1115-0032
212.4(b) .....	1115-0028
212.4(h) .....	1115-0040
212.6 .....	1115-0019

8 CFR part or section where identified and described	Current OMB control No.
212.6 .....	1115-0047
212.7 .....	1115-0048
212.7(c) .....	1115-0059
212.8(b) .....	1115-0081
214.1 .....	1115-0051
214.1(c) .....	1115-0093
214.2(e) .....	1115-0023
214.2(f) .....	1115-0060
214.2(f) .....	1115-0051
214.2(g) .....	1115-0090
214.2(h) .....	1115-0038
214.2(k) .....	1115-0071
214.2(l) .....	1115-0038
214.2(m) .....	1115-0060
214.2(m) .....	1115-0051
214.3 .....	1115-0070
214.3(g) .....	1115-0051
Part 223 .....	1115-0005
Part 223a .....	1115-0084
223.1 .....	1115-0037
Part 231 .....	1115-0083
Part 231 .....	1115-0078
Part 231 .....	1115-0108
Part 232 .....	1115-0036
Part 233 .....	1115-0036
234.2(c) .....	1115-0048
Part 235 .....	1115-0077
235.1(e) .....	1115-0065
243.4 .....	1115-0055
243.7 .....	1115-0043
Part 244 .....	1115-0025
Part 245 .....	1115-0053
Part 245 .....	1115-0066
245.2 .....	1115-0089
245.2(a)(2) .....	1115-0067
247.11 .....	1115-0037
247.12 .....	1115-0037
247.13 .....	1115-0037
248.3 .....	1115-0032
248.3(b) .....	1115-0038
248.4 .....	1115-0038
Part 249 .....	1115-0053
Part 249 .....	1115-0066
Part 250 .....	1115-0020
Part 251 .....	1115-0083
Part 251 .....	1115-0040
Part 252 .....	1115-0040
252.1(f) .....	1115-0073
253.1 .....	1115-0029
264.1 .....	1115-0004
264.1(c) .....	1115-0079
264.1(f) .....	1115-0002
265.1 .....	1115-0003
292.2 .....	1115-0026
316a.21 .....	1115-0014
319.11 .....	1115-0009
Part 322 .....	1115-0010
324.11 .....	1115-0009
327.1 .....	1115-0009
Part 328 .....	1115-0009
328.3 .....	1115-0022
Part 329 .....	1115-0009
329.2 .....	1115-0022
Part 330 .....	1115-0009
Part 330 .....	1115-0031
Part 334a .....	1115-0008
334.11 .....	1115-0009
334.17 .....	1115-0035
335.11 .....	1115-0009
336.16a .....	1115-0076
336.16a .....	1115-0052
338.16 .....	1115-0030

8 CFR part or section where identified and described	Current OMB control No.
Part 341 .....	1115–0018
341.1(b) .....	1115–0009
343a.1 .....	1115–0015
343b .....	1115–0016

[48 FR 37201, Aug. 17, 1983, as amended at 73 FR 58030, Oct. 6, 2008; 74 FR 26936, June 5, 2009]

## PART 101—PRESUMPTION OF LAWFUL ADMISSION

Sec.

101.1 Presumption of lawful admission.

101.2 Presumption of lawful admission; entry under erroneous name or other errors.

101.3 Creation of record of lawful permanent resident status for person born under diplomatic status in the United States.

101.4 Registration procedure.

101.5 Special immigrant status for certain G–4 nonimmigrants.

AUTHORITY: 8 U.S.C. 1103, 8 CFR part 2.

### § 101.1 Presumption of lawful admission.

A member of the following classes shall be presumed to have been lawfully admitted for permanent residence even though a record of his admission cannot be found, except as otherwise provided in this section, unless he abandoned his lawful permanent resident status or subsequently lost that status by operation of law:

(a) *Prior to June 30, 1906.* An alien who establishes that he entered the United States prior to June 30, 1906.

(b) *United States land borders.* An alien who establishes that, while a citizen of Canada or Newfoundland, he entered the United States across the Canadian border prior to October 1, 1906; an alien who establishes that while a citizen of Mexico he entered the United States across the Mexican border prior to July 1, 1908; an alien who establishes that, while a citizen of Mexico, he entered the United States at the port of Presidio, Texas, prior to October 21, 1918, and an alien for whom a record of his actual admission to the United States does not exist but who establishes that he gained admission to the United States prior to July 1, 1924, pursuant to preexamination at a United States im-

migration station in Canada and that a record of such preexamination exists.

(c) *Virgin Islands.* An alien who establishes that he entered the Virgin Islands of the United States prior to July 1, 1938, even though a record of his admission prior to that date exists as a non-immigrant under the Immigration Act of 1924.

(d) *Asiatic barred zone.* An alien who establishes that he is of a race indigenous to, and a native of a country within, the Asiatic zone defined in section 3 of the Act of February 5, 1917, as amended, that he was a member of a class of aliens exempted from exclusion by the provisions of that section, and that he entered the United States prior to July 1, 1924, provided that a record of his admission exists.

(e) *Chinese and Japanese aliens*—(1) *Prior to July 1, 1924.* A Chinese alien for whom there exists a record of his admission to the United States prior to July 1, 1924, under the laws and regulations formerly applicable to Chinese and who establishes that at the time of his admission he was a merchant, teacher, or student, and his son or daughter under 21 or wife accompanying or following to join him; a traveler for curiosity or pleasure and his accompanying son or daughter under 21 or accompanying wife; a wife of a United States citizen; a returning laborer; and a person erroneously admitted as a United States citizen under section 1993 of the Revised Statutes of the United States, as amended, his father not having resided in the United States prior to his birth.

(2) *On or after July 1, 1924.* A Chinese alien for whom there exists a record of his admission to the United States as a member of one of the following classes; an alien who establishes that he was readmitted between July 1, 1924, and December 16, 1943, inclusive, as a returning Chinese laborer who acquired lawful permanent residence prior to July 1, 1924; a person erroneously admitted between July 1, 1924, and June 6, 1927, inclusive, as a United States citizen under section 1993 of the Revised Statutes of the United States, as amended, his father not having resided in the United States prior to his birth; an alien admitted at any time after June 30, 1924, under section 4 (b) or (d)